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C O N F I D E N T I A L SECTION 01 OF 02 CAIRO 007414

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SUBJECT: GAMAL MUBARAK AIDE ON ELECTIONS, U.S. ASSISTANCE

Classified by Acting DCM Peter Kaestner for reasons 1.4 (b) and (d).

1. (C) Summary. A close aide to Gamal Mubarak thinks that barriers to international observers for Egypt's upcoming parliamentary elections are too high to overcome. He does not believe that any party other than the ruling NDP will win the number of seats required to field a candidate in the 2011 presidential election. He suggested that Ayman Nour's El Ghad Party (and Nour himself) would perform poorly in the upcoming election. The aide also complained about Hill efforts to condition assistance on Radio Sawa cooperation. ECPD Counselor made clear that the Administration would continue to press for international observers for the parliamentary election. End summary.

Observers for Parliamentary Elections

2. (C) ECPO Counselor had coffee September 15 with Karim Haggag, an Egyptian diplomat currently working for presidential son and NDP leader Gamal Mubarak. Most of the conversation was on Egypt's upcoming parliamentary elections. While acknowledging that there will likely be much in the campaign and voting that the GOE would prefer the outside world not see, ECPO Counselor stressed that a genuine monitoring program, sizable and accredited, would be essential to the credibility of the parliamentary poll.

3. (C) Haggag acknowledged that the ugliness (i.e., violence, blatant vote-rigging) of past parliamentary elections was one factor that made the GOE hesitant to permit observers. Haggag argued that there were "legal" and "institutional" barriers as well. The legal barrier he explained by comparing Egypt's presidential and parliamentary election laws. Unlike the law governing presidential elections, Haggag said, the law covering parliamentary elections does not give the electoral commission any leeway regarding who may be admitted to polling stations. Instead, the law explicitly lays out who may be admitted and this does not include outside monitors.

4. (C) Regarding the "institutional" barrier, Haggag said that the presidential election had highlighted the deep rift between Egypt's judiciary and the other branches of government. Haggag described a judiciary determined to demonstrate its independence from the executive and resist any suggestions as to how it should do its job monitoring elections. Letting in outsiders, with the implication that the judges weren't up to the job, was particularly offensive. ECPO Counselor responded that we were convinced that if the GOE leadership recognized the need to invite observers, it would be able to overcome any legal and institutional hurdles.

Snubbing the Europeans

5. (C) Haggag cited a recent visit by European officials as illustrative of the sensitivity of the GOE regarding elections issues. A delegation from the European Commission recently visited Cairo to assess the recent presidential elections and explore the possibility of mounting an observer operation for the upcoming parliamentary ballot. Haggag said that the EU had ruffled feathers by sending in the delegation before receiving MFA approval. He acknowledged that the local EC Delegation had informed the MFA of the planned visit and the MFA had failed to respond (MFA standard operating procedure when it wants to say "no" without actually saying it). Choosing to take silence as assent, the EU brought its team anyway so, with typical pique, the GOE cancelled all the visitors' official appointments.

Predicting the Parliamentary Election Outcome

7. (C) Haggag said he thought it was very unlikely that any party other than the NDP would in the upcoming elections gain the 5% of parliamentary seats required to field a candidate in the 2011 presidential elections. He said that "some people" had suggested manipulating the vote so that at least one opposition party cleared the threshold, but that such maneuvers would cause problems within the NDP. Any seat for

an opposition party means one less seat for the NDP, he explained, and finding NDP members willing to sacrifice their seats - and the perks and patronage that go with them - was impossible.

18. (C) Haggag argued that this was not the result the GOE was looking for, and pointed to language Mubarak used in campaign speeches calling for a parliament that represented the views of all Egyptians. He said that the GOE's response to the lack of significant opposition party representation in a virtually all-NDP legislature would be to move swiftly after the parliamentary election to amend the constitution. Under the new constitution, the next parliamentary elections would take place with a proportional representation rather than single-member constituency system. Haggag said that Egypt had such a system in the 1980s and it resulted in much more significant opposition representation in parliament.

Goodbye to Ayman Nour?

19. (C) Unprompted, Haggag cautioned ECPO Counselor against assuming that El Ghad Party leader Ayman Nour's surprisingly strong second-place showing would translate into success for El Ghad during the parliamentary vote or even that Nour would be able to keep his own parliamentary seat. While acknowledging that the fractious and desperately underfunded party would find it hard to win a significant number of seats, ECPO Counselor suggested that Nour's popularity among his constituents virtually assured his reelection in a fair ballot.

Radio Sawa

110. (C) Haggag complained vehemently and at length about appropriations language linking disbursement of U.S. assistance to GOE cooperation on Radio Sawa. He argued that the U.S. was pushing for greater conditionality on the assistance program and then, when the two sides agree on conditions (as with the financial sector MOU), Congress adds new unilateral conditions and the administration does nothing about it. Haggag was uncharacteristically agitated on this point and said that he had tried (and failed) to insert language in the President's stump speech thanking the USG for its decades of development aid and calling for the assistance relationship to be restructured "in the spirit of partnership" (code for "no conditionality").

Comment

111. (C) Haggag is close to Gamal and his comments accurately reflect Gamal's perspective. We do not know that, in outlining how the GOE might replace its constituency-based parliamentary ballot with a proportional representation system, he was consciously floating a trial balloon. We would not be surprised, however, if the GOE made such an announcement to defuse any outcry, domestic or international, over a lopsided parliamentary election. End comment.

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